

**Before the Federal Communications Commission
Washington, DC 20554**

In the Matter of)	CC Docket No. 01-92
)	
Developing a Unified Intercarrier)	
Compensation Regime)	

**Initial Comments of
Wyoming Public Service Commission**

The Wyoming Public Service Commission (WPSC), in response to the Federal Communications Commission's Notice of Proposed Rule Making, CC Docket No. 01-92, adopted February 10, 2005, and released March 3, 2005, hereby submits these initial comments concerning the issues and development of a unified intercarrier compensation (ICC) policy. The WPSC wishes to reserve its final position on the Version 7 proposal (or any other version) released by the National Association of Regulatory Commissioners' (NARUC) Task Force on Intercarrier Compensation.

The WPSC has followed the work of the Task Force and praises the difficult task it had. Due to the unique position of Wyoming, a state with carriers serving significant portions of the state with low population densities, the WPSC must evaluate all proposals in light of the impact on its citizens and its carriers. Costs incurred by rural carriers and non-rural carriers in Wyoming should not go unrecovered. We believe the efforts of the Task Force were comprehensive and that Version 7 of the Task Force Proposal submitted is not intended to be a "one solution fits all."

With the passage of the Wyoming Telecommunications Act of 1995, Wyoming has moved to provide for and stimulate effective telecommunications competition by eliminating cross subsidies and implementing cost-based rates for all carriers within Wyoming. This effort requires us to carefully weight the impact of any rulemaking on the citizens and carriers of the state. We view the Task Force efforts as a template by which to begin developing the blueprint for the future of intercarrier compensation. In this process, the WPSC believes there are some basic policy issues that must be considered in this process. These policy issues, in no specific order, include the following:

- A. Universal Service Funds should be used to maintain the concept of “universal service” and provide a partnership to insure accountability.
- B. There should be a state-federal partnership in the administration of Universal Service Funds.
- C. High cost areas need to be able to recover costs without rate shock and equitably allow cost recovery. Distance and density must be considered.
- D. Intercarrier compensation should be technology neutral.
- E. There should be no distinction between rural and non-rural carriers serving rural areas.
- F. The state is the best location for dispute resolution.
- G. States should continue to be the grantor of Eligible Telecommunications Carrier status.
- H. Capacity leasing should be considered as an alternative to termination or transport charges.
- I. We should continue to fully utilize, maintain and leverage the assets of the Public Switched Telephone Network (PSTN) where practical.

The WPSC requests the Federal Communications Commission carefully consider these broad policy issues as it reviews and decides on how to best proceed with the important considerations and ramifications associated with intercarrier compensation. Jurisdictional cooperation between state commissions and the FCC should continue to be a goal for the policies necessary to implement a national ICC policy. The WPSC looks forward to more fully participating in this Rulemaking through the Reply Comment provisions and any other elements of this important proceeding.

Dated: May 23, 2005.

Respectfully submitted,

WYOMING PUBLIC SERVICE COMMISSION



Rob Hurless, Chairman